

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

Bail Appl..No. 225 of 2007()

CRIME NO. 586 OF 2006 OF PANDALAM POLICE STATION

PETITIONER/2ND ACCUSED:

BIJU, S/O. PONNAPPAN,
BIJU BHAVAN, MANNATHANATHU POOZHICADU,
KUDASSANADU, PANDALAM.

BY ADV. SRI.C.S.MANILAL

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 225 of 2007

DATED: January 17 , 2007

O R D E R

Petitioner who is the second accused in Crime No.586/06 of Pandalam Police Station for offences punishable under Secs.452, 323, 326 and 427 read with Sec. 34 I.P.C., seeks anticipatory bail. The occurrence took place on 25-12-2006.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in an abkari case and that proceedings under Sec. 107 Cr.P.C. have also been initiated against him.

3. The case of the prosecution is that at about 7.30 p.m. on 25-12-2006 accused Nos. 1 to 10 had criminally trespassed into the house of the de facto complainant through the kitchen and had assaulted him with weapons like iron rod etc. causing injuries including fracture. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioner to surrender before the Investigating Officer and then have his regular bail application disposed of by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating

Bail Application No. 225 of 2007 -:2:-

Officer on any day between 18-01-2007 and 20-01-2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. Thereafter the petitioner shall be produced on the same day before the Magistrate who is having jurisdiction. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

This petition is disposed of as above.

Sd/-V.RAMKUMAR, JUDGE

/true copy/

P.A. to Judge.

ani/-